

PRESIDENT: Senator Waldron is coming while you are searching there. Senator Waldron are you in a position to take up on General File LB327 or 508?

SENATOR WALDRON: Not 327 because we are waiting on an amendment. How did we get down to 327? I'll be glad to take up 212 which is ahead of that one.

PRESIDENT: 212? I suppose that I should explain a little bit of procedure here. I don't want to leave you wondering. But we decided that we would go back to 91 feeling that it was probably useless to go back through the list that we had already gone through yesterday and by-passed. But, I have no objections to 212 if you are ready on it. LB212, Senator Waldron's bill.

CLERK: Read LB212

SENATOR WALDRON: Mr. President, I move for the adoption of the committee amendments. The committee amendments are actually the bill so they are very easy to follow they completely replace the bill. You will notice in the committee statement that what this does is to create a home solicitation sales act in Nebraska which gives to the buyer on a home solicitation bill which is defined in the amendment there. It gives the buyer 72 hours to cancel any sale that is done by generally by a door to door salesman. You will notice that there was a certain amount of opposition to the bill when it was originally introduced in a original hearing. We that was on the original bill. Now when we adopted this amendment I took this amendment and circulated it among those people and it was generally agreed that this was acceptable to almost everyone. There has not been any opposition to 212 since that time, or if there is it is very isolated. I think that there is still opposition from some cookware sales people in the Lincoln area and that is the only one that I can remember to 212 after we rewrote the amendment, the committee amendment. The other people there are no longer concerned about it. I think the people that are still opposed are the door to door cookware salesmen. So you might take that into account when you vote. This bill was patterned after the trade commission rule and regulation which gives the buyer 3 days or 72 hours to cancel when it is a door to door salesman or when it is a sale that is done in the home without any prior asking by the buyer that the seller actually come to his home. Of course if you go out and ask the guy to come over to your home or make a contact at his office and say we would like to have you come over to our house, then this doesn't apply under this act. This follows the federal trade commission rule which goes into force the middle of this year. The reason it didn't go into force last year, it was in force but they got a law suit and not the court of appeals said that they can go into effect I think July 1, of this coming year or 1974. So this is what is called the home solicitation sales act, which gives the buyer, if a salesman then comes to his house the right to cancel within 72 hours after he leaves home. This is done to discourage high pressure salesmen. People who come in and won't even leave unless you actually sign on the dotted line and agree to purchase their product. We have found some abuse in the past and that is why this committee for 2 years ago decided to sponsor this act. This act is in conformity with the federal trade commission act and I want to point that out that there will be no conflict here whatsoever. If there are any questions on this I will be happy to answer them.

-424- 44106